



VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
SMALL BUSINESS CONCERN

Applicant or Patentee: Craig S. GRAVINA et al.
Application or Patent No.: 10/605,870
Filed or Issued: November 2, 2003
Title: CONTROLLER AND REMOVABLE USER INTERFACE (RUI) FOR
CONTROLLING MEDIA EVENT

I hereby declare that I am:

the owner of the small business concern identified below:
 an official empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN PUSHPLAY INTERACTIVE, LLC
ADDRESS OF CONCERN 47 West Harrison
Saratoga Springs, New York 12866

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR § 121 and in 37 CFR § 1.27, for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights in the invention have not been conveyed under contract or at law and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person who would not qualify as an independent inventor under 37 C.F.R. § 27 if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 27, or a nonprofit organization under 37 CFR § 27.

Each person, concern or organization having any rights in the invention is listed below:

FULL NAME _____
ADDRESS _____

INDIVIDUAL
 SMALL BUSINESS CONCERN
 NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____

INDIVIDUAL
 SMALL BUSINESS CONCERN
 NONPROFIT ORGANIZATION

I acknowledge that separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities.

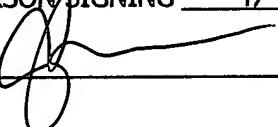
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001, Title 18, United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____ Craig S. Gravina _____

TITLE OF PERSON IF OTHER THAN OWNER _____ LLC Manager _____

ADDRESS OF PERSON SIGNING _____ 47 West Harrison, Saratoga Springs, New York 12866 _____

SIGNATURE  DATE 3/30/2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

APR 12 2004
U.S. PATENT & TRADEMARK OFFICE
F-23

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number	14149-43067
First Named Inventor	Craig S. GRAVINA
COMPLETE IF KNOWN	
Application Number	10/605,870
Filing Date	November 2, 2003
Art Unit	2173
Examiner Name	TBD

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CONTROLLER AND REMOVABLE USER INTERFACE (RUI) FOR CONTROLLING MEDIA
EVENT**

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY)

11/02/2003

as United States Application Number or PCT International

Application Number 10/605,870 and was amended on (MM/DD/YYYY) 01/12/2004 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number: 26702 OR Correspondence address below

Name
Chad D. Tillman, MORRIS, MANNING & MARTIN, LLP

Address
6000 Fairview Road, Suite 1125

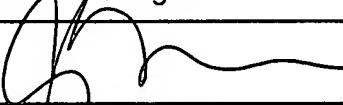
City
Charlotte State
North Carolina ZIP
28210

Country
United States Telephone
704-554-7070 Fax
704-556-9554

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Craig S. Family Name
or Surname GRAVINA

Inventor's
Signature  Date
3/30/2004

Residence: City
Saratoga Springs State
New York Country
United States Citizenship
United States

Mailing Address
9 Rolling Brook Drive

City
Saratoga Springs State
New York ZIP
12866 Country
United States

NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) See PTO/SB/02A supplemental sheet Family Name
or Surname

Inventor's
Signature Date

Residence: City
State
Country
Citizenship

Mailing Address

City
State ZIP
Country

Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental SheetPage 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Arthur A. 		GRAVINA	
Inventor's Signature			Date <u>3/30/04</u>
Residence: City <u>Naples</u>	State <u>Florida</u>	United States Country	United States Citizenship
Mailing Address <u>6361 Pelican Bay Boulevard</u>			
Mailing Address <u>Apt. #1001</u>			
City <u>Naples</u>	State <u>Florida</u>	Zip <u>34108</u>	United States Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
		N/A	
Inventor's Signature	Date		
Residence: City	State	United States Country	United States Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	United States Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
		N/A	
Inventor's Signature	Date		
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

GRAVINA et al.

U.S. Application Serial No. 10/605,870

Filed November 2, 2003

For CONTROLLER AND REMOVABLE USER INTERFACE

(RUI) FOR CONTROLLING MEDIA EVENT

Atty Docket No. 14149-43067

) Group Art Unit: 2173
)

) Examiner: TBD
)

) Confirmation No.: 2869
)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

37 C.F.R. §3.73(b) STATEMENT AND POWER OF ATTORNEY

The Assignee for the above-identified U.S. patent application (hereinafter "Patent Application"), and the invention disclosed therein, hereby states pursuant to 37 C.F.R. §3.73(b) that the Assignee is the sole owner of the Patent Application to the exclusion of each inventor thereof.

The Assignee establishes its ownership by submission herewith of one or more assignment documents establishing that Assignee possesses all rights, title, and interest in and to the Patent Application. As the established owner of the Patent Application, the Assignee hereby invokes its right to conduct prosecution of the Patent Application to the exclusion of each named inventor.

The Assignee further hereby appoints the Attorneys and Patent Agents of Morris Manning & Martin, L.L.P., associated with Customer Number 26702 in the records of the U.S. Patent & Trademark Office and as updated from time to time, to prosecute the Patent Application and to transact all business in the U.S. Patent & Trademark Office connected therewith.

26702

customer number

All correspondence in this case should be directed to the same Customer Number.

The Assignee hereby declares that no other person or entity is authorized to take any action before the U.S. Patent & Trademark Office with respect to the Patent Application. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

PUSHPLAY INTERACTIVE, LLC

47 West Harrison

Saratoga Springs, New York 12866

By:



Signature of Corporate Officer

Craig S. Gravina

Name of Corporate Officer

LLC Manager

Title of Corporate Officer

3/30/2004

Date



QUITCLAIM/ASSIGNMENT OF INVENTION RIGHTS

WHEREAS, I, **Craig S. Gravina**, residing at:

**9 Rolling Brook Drive
Saratoga Springs, New York 12866**

(hereinafter "Assignor") has or may have invented certain new and useful improvements and/or designs (hereinafter "Invention"), for a full description of which reference is here made to a patent application titled:

CONTROLLER AND REMOVABLE USER INTERFACE (RUI) FOR CONTROLLING MEDIA EVENT

(hereinafter "Application") filed or to be filed with the U.S. Patent & Trademark Office, European Patent Office, WIPO, or other governmental body, and for which Assignor hereby authorizes and requests Assignee to complete the following blanks specifying the serial number and filing date for said application identified above (but Assignee's failure to do so shall have no bearing whatsoever upon the validity or legal effect of this Assignment):

Serial Number: 10/605,870 Filed on: November 2, 2003 and

WHEREAS,

**PUSHPLAY INTERACTIVE, LLC
47 West Harrison
Saratoga Springs, New York 12866**

(hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in, to, and under the Invention and the Application, and in, to, and under any and all patents that may be obtained for the Invention, together with all foreign rights corresponding thereto;

NOW, THEREFORE, to all whom it may concern, be it known that, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor has agreed to quitclaim, sell, assign, transfer and convey, and by these presents does hereby quitclaim, sell, assign, transfer and convey, unto Assignee any and all right, title, and interest in, to and under:

- The Invention and the Application;
- Any and all other applications for patent for the Invention that may be filed in any and all countries;
- Any and all patents that may be obtained for the Invention in any and all countries; and
- Any reissue, extension, renewal, substitution, conversion, confirmation, division, continuation, continuation-in-part and the like of any of the foregoing,

(hereinafter collectively "Invention Rights").

FURTHERMORE,

Assignor hereby covenants and agrees, and binds any and all heirs, administrators, legal representatives, nominees, and assigns, to assist and cooperate with Assignee in the preparation and prosecution of any application included within the Invention Rights and in the prosecution or defense of any interference, opposition, or other proceeding that may arise in connection with any application or patent included within the Invention Rights and, further, to execute and deliver to Assignee any and all additional petitions, oaths, assignments, or other papers or instruments that may be requested by Assignee for the purpose of implementing the terms of this Agreement.

Assignor hereby authorizes and empowers Assignee to invoke and claim for any application or patent included within the Invention Rights the benefit of any rights to which Assignor might be entitled under international law or under the laws of any particular foreign country, and to invoke and claim such rights without further written or oral authorization from Assignor.

Assignor hereby consents and agrees that a copy of this Assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file, or like document that may be required in any particular foreign country for any purpose and, more particularly, in proof of the right of Assignee to claim the aforesaid benefit of the right of priority.

Assignor covenants and agrees that this Assignment and all the terms thereof shall inure to the benefit of the successors, assigns, legal representatives, or nominees of Assignee, without further written or oral authorization from Assignor.

Finally, Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States Patent and Trademark Office to issue any patent included within the Inventions Rights to Assignee.

[Signature Pages Follow]

This the 30th day of March, 2004

Assignor signature:

Craig S. Gravina

Witness #1 Signature

Philip P. Englehart

Witness #1 Name (print)

5 Pine Robin Rd N

Witness #1 Address Line 1

Greenfield Ct N.Y 12833

Witness #1 Address Line 2

B. Humphreys

Witness #2 Signature

Bethany Humphreys

Witness #2 Name (print)

St. Bl. Cnty Rd 113

Witness #2 Address Line 1

Greenwich N.Y 12834

Witness #2 Address Line 2

NOTARIZATION

State of

New York

County of

Saratoga

United States of America

On this 30th day of March, 2004, personally appeared Craig S. Gravina before me, to me known and known to me to be the person described as Assignor in and who executed the foregoing instrument and acknowledged the same to be his/her free act and deed in and for the purposes set forth above.

Jill A. Robbins

Notary Public

My Commission Expires: October 9, 2005

JILL A. ROBBINS
Notary Public, State of New York
Certified in Saratoga County
Commission Expires October 9, 2005

QUITCLAIM/ASSIGNMENT OF INVENTION RIGHTS

WHEREAS, I, **Arthur A. Gravina**, residing at:

**6361 Pelican Bay Boulevard
Apt. #1001
Naples, Florida 34108**

(hereinafter "Assignor") has or may have invented certain new and useful improvements and/or designs (hereinafter "Invention"), for a full description of which reference is here made to a patent application titled:

CONTROLLER AND REMOVABLE USER INTERFACE (RUI) FOR CONTROLLING MEDIA EVENT

(hereinafter "Application") filed or to be filed with the U.S. Patent & Trademark Office, European Patent Office, WIPO, or other governmental body, and for which Assignor hereby authorizes and requests Assignee to complete the following blanks specifying the serial number and filing date for said application identified above (but Assignee's failure to do so shall have no bearing whatsoever upon the validity or legal effect of this Assignment):

Serial Number: 10/605,870 Filed on: November 2, 2003 and

WHEREAS,

**PUSHPLAY INTERACTIVE, LLC
47 West Harrison
Saratoga Springs, New York 12866**

(hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in, to, and under the Invention and the Application, and in, to, and under any and all patents that may be obtained for the Invention, together with all foreign rights corresponding thereto;

NOW, THEREFORE, to all whom it may concern, be it known that, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor has agreed to quitclaim, sell, assign, transfer and convey, and by these presents does hereby quitclaim, sell, assign, transfer and convey, unto Assignee any and all right, title, and interest in, to and under:

- The Invention and the Application;
- Any and all other applications for patent for the Invention that may be filed in any and all countries;
- Any and all patents that may be obtained for the Invention in any and all countries; and
- Any reissue, extension, renewal, substitution, conversion, confirmation, division, continuation, continuation-in-part and the like of any of the foregoing,

(hereinafter collectively "Invention Rights").

FURTHERMORE,

Assignor hereby covenants and agrees, and binds any and all heirs, administrators, legal representatives, nominees, and assigns, to assist and cooperate with Assignee in the preparation and prosecution of any application included within the Invention Rights and in the prosecution or defense of any interference, opposition, or other proceeding that may arise in connection with any application or patent included within the Invention Rights and, further, to execute and deliver to Assignee any and all additional petitions, oaths, assignments, or other papers or instruments that may be requested by Assignee for the purpose of implementing the terms of this Agreement.

Assignor hereby authorizes and empowers Assignee to invoke and claim for any application or patent included within the Invention Rights the benefit of any rights to which Assignor might be entitled under international law or under the laws of any particular foreign country, and to invoke and claim such rights without further written or oral authorization from Assignor.

Assignor hereby consents and agrees that a copy of this Assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file, or like document that may be required in any particular foreign country for any purpose and, more particularly, in proof of the right of Assignee to claim the aforesaid benefit of the right of priority.

Assignor covenants and agrees that this Assignment and all the terms thereof shall inure to the benefit of the successors, assigns, legal representatives, or nominees of Assignee, without further written or oral authorization from Assignor.

Finally, Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States Patent and Trademark Office to issue any patent included within the Inventions Rights to Assignee.

[Signature Pages Follow]

This the 30th day of March, 2004.

Assignor signature:

Arthur A. Gravina

Witness #1 Signature

Witness #1 Name (print)

Witness #1 Address Line 1

Witness #1 Address Line 2

Witness #2 Signature

Witness #2 Name (print)

Witness #2 Address Line 1

Witness #2 Address Line 2

NOTARIZATION

State of

Florida

County of

Collier

United States of America

On this 30th day of March, 2004, personally appeared **Arthur A. Gravina** before me, to me known and known to me to be the person described as Assignor in and who executed the foregoing instrument and acknowledged the same to be his/her free act and deed in and for the purposes set forth above.

Victoria Louise Czarnik
Notary Public

My Commission Expires: 2/18/05



Victoria Louise Czarnik
My Commission DD0002104
Expires February 18, 2005